



Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

for FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$180.00

## Complete If Known

Application Number 10/519,856  
Filing Date December 29, 2004  
First Named Inventor David Aaron Crowther  
Examiner Name Sherief Badawi  
Art Unit 2167  
Attorney Docket No. PU020329

### METHOD OF PAYMENT (check all that apply)

CUSTOMER NUMBER: 24498

- ☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account: Deposit Account Number **07-0832** Deposit Account Name: **THOMSON LICENSING LLC**  
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Small Entity	Fee (\$)	Fee Paid (\$)
Each claim over 20 (including Reissues)	50	25	
Each independent claim over 3 (including Reissues)	200	100	
Multiple dependent claims	360	180	
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 20 or HP = _____ x _____ = _____			
HP = highest number of total claims paid for, if greater than 20.			
<b>Independent Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 3 or HP = _____ x _____ = _____			
HP = highest number of independent claims paid for, if greater than 3.			

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): INFORMATION DISCLOSURE STATEMENT FEE: \$180.00

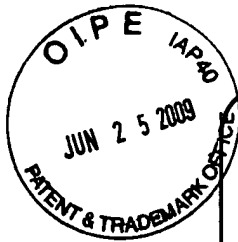
Fees Paid (\$)

\$180.00

#### SUBMITTED BY

Name (Print/Type)	Robert B. Levy	Registration No. (Attorney/Agent)	28,234	Telephone	(609) 734-6820
Signature					June 19, 2009

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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First Named Inventor	David Aaron Crowther
Examiner Name	Sherief Badawi
Art Unit	2167
Attorney Docket No.	PU020329

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Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

Small Entity  
Fee (\$)  
50

Each independent claim over 3 (including Reissues)

Fee (\$)  
25

Multiple dependent claims

200

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

360

Multiple Dependent Claims

Fee (\$)  
Fee Paid (\$)

- 20 or HP =  $\frac{\text{Total Claims}}{20}$  x  $\frac{\text{Extra Claims Fee}}{20}$  =

HP = highest number of total claims paid for, if greater than 20.

Independent Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 3 or HP =  $\frac{\text{Independent Claims}}{3}$  x  $\frac{\text{Extra Claims Fee}}{3}$  =

HP = highest number of independent claims paid for, if greater than 3.

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Other (e.g., late filing surcharge): INFORMATION DISCLOSURE STATEMENT FEE: \$180.00

Fees Paid (\$)

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AF GRW  
\$

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Before the Board of Patent Appeals and Interferences**



Applicants : David Aaron Crowther et al  
Serial No. : 10/519,856. Appeal No.: 2009-5489  
Filed : December 29, 2004  
For : HETEROGENEOUS DISK STORAGE  
MANAGEMENT TECHNIQUE  
Examiner : Sherief Badawi  
Art Unit : 2167

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

- ☐ 1 Pursuant to 37 CFR 1.97(b)  
[within 3 months of filing or prior to 1st Office Action]
- ☐ 2 Pursuant to 37 CFR 1.97(c)  
[before Final Office Action or Allowance]
- ☒ 3 Pursuant to 37 CFR 1.97(d)  
[after Final Office Action or Allowance, but prior to payment of Issue Fee]

Mail Stop: Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following are submitted in the above-identified application in compliance with 37 CFR 1.97 & 1.98:

- ☒ 4 A list of documents on form PTO/SB08a and/or PTO/SB08b together with copies of each identified document and a translation or a concise explanation of each non-English language document is enclosed herewith.

This paper is submitted in accordance with:

- ☐ 5 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 6 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ (a) The required certification made in item 8(a) below; OR
- ☐ (b) The \$180.00 fee specified in 37 CFR 1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☒ 7 37 CFR 1.97(d): [after Final Office Action or Allowance, but prior to payment of Issue Fee]; and
- ☒ (a) The required certification made in item 8(a) below; AND
- ☒ (b) The \$180.00 fee specified in 37 CFR 1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.

06/25/2009 NBELETE1 00000012 070832 10519856  
01 FC:1806 180.00 DA

☒ 8 Certification


- ☒ (a) Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
- ☐ (b) No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.

- ☒ 9 Please charge the applicable fees associated with the submittal of this Information Disclosure Statement to Deposit Account No. 07-0832. An original and one (1) copy of this document is enclosed.

Respectfully submitted,

DAVID AARON CROWTHER ET AL.

BY:

  
Robert B. Levy  
Registration No. 28,234  
(609) 734-6820

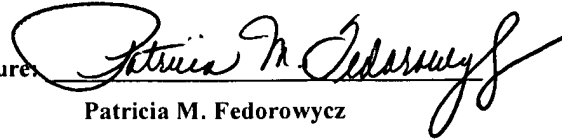
Thomson Licensing LLC  
Patent Operations  
P. O. Box 5312  
Princeton, New Jersey 08543-5312

June 19, 2009

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**Certificate Of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in a postage-paid envelope addressed to: Mail Stop Appeal Brief - Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date: June 22, 2009 Signature:   
Patricia M. Fedorowycz



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Before the Board of Patent Appeals and Interferences**

Applicants : David Aaron Crowther et al  
Serial No. : 10/519,856. Appeal No.: 2009-5489  
Filed : December 29, 2004  
For : HETEROGENEOUS DISK STORAGE  
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Examiner : Sherief Badawi  
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**Commissioner for Patents**  
**P.O. Box 1450**  
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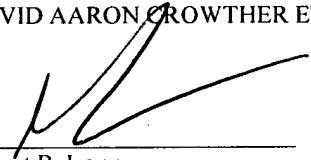
- ☒ (a) Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
- ☐ (b) No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.

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Thomson Licensing LLC  
Patent Operations  
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June 19, 2009

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